

**Special Meeting Minutes**  
**Thursday, May 14, 2009**  
**Meeting Scheduled Start Time: 2:30 PM**

**BOARD OF SUPERVISORS**  
**Maricopa County, Arizona**  
(and the Boards of Directors of the Flood Control  
District, Library District, Stadium District, Improvement  
Districts, and/or Board of Deposit)



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

**Board Members**

Max Wilson, District 4, Chairman  
Fulton Brock, District 1  
Don Stapley, District 2  
Andrew Kunasek, District 3  
Mary Rose Wilcox, District 5

**County Manager**

David Smith

**Clerk of the Board**

Fran McCarroll

**Meeting Location**

Sullivan Conference Room  
301 W. Jefferson, 10th Floor  
Phoenix, Arizona 85003

## **BOARD OF SUPERVISORS**

The Board of Supervisors of Maricopa County Arizona convened in Special Session at 2:30 PM on Thursday, May 14, 2009, in the Sullivan Conference Room with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2 (entered late); Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Bruce White, Deputy County Attorney.

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### **1. EXECUTIVE SESSION**

Vote to convene in Executive Session to consider the items on the Special Executive Agenda dated May 14, 2009, pursuant to the statutory authority listed for each item. Paul Golab replaced Mr. White as the Board's attorney for this meeting.

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

\*\*\* Recess Executive Session and Reconvene Open Session\*\*\*

## **OPEN SESSION**

### **Clerk of the Board**

2.

#### **POSSIBLE ACTION REGARDING COUNTY ATTORNEY AND/OR SHERIFF LITIGATION**

Authorize action(s) regarding County Attorney and/or Sheriff litigation against the Board of Supervisors as discussed in preceding executive session, item E-06-09-037-3-00.  
(C-06-09-411-7-00)

No action was taken as this item was not considered.

### **Community Development**

#### **3. ADMINISTRATIVE CORRECTION TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME), & EMERGENCY SHELTER GRANT (ESG) ANNUAL ACTION PLANS**

Approve an administrative correction to the action taken on May 6, 2009 Special Meeting (C-17-09-051-G-00) regarding the Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Shelter Grant (ESG) Annual Action Plans (AAP). This action will replace the agenda language to conform with the approved Resolution and Attachments A, B, and C from the May 6, 2009 Special Meeting.

(1) ADOPT a Resolution for the submission of the FY2009-2010 Annual Action Plans, any plan amendments, and amendments to the FY2005-2009 Five-Year Consolidated Plans and Citizens Participation Plan; and acceptance of CDBG, HOME, and ESG funding for FY2009-2010 of \$7,211,188 (CDBG: \$2,491,946; HOME: \$4,622,726; and ESG: \$96,516.) NOTE: The ESG funds will be administered by the Maricopa County Human Services Department.

(2) APPROVE the Maricopa HOME Consortium and the Maricopa Urban County Action Plans for July 1, 2009 through June 30, 2010. The Annual Action Plans (AAP) contains specific projects for funding to implement the FY2005-2009 Five-Year Consolidated Plan (CP). FY2009-2010 is Year 5 of 5 under the Five-Year Consolidated Plan.

#### **FUNDING SUMMARY TOTALS (SEE ATTACHMENT A)**

1. Total Urban County CDBG Grant = \$2,491,946 (See Attachment A)

(a) Urban County CDBG Allocation = \$2,233,863

(b) Urban County CDBG Unprogrammed Funds = \$258,083

2. Total HOME Consortium Grants = \$4,622,726

(a) Maricopa County Share HOME Funds = \$915,160 (See Attachment A)

(b) Urban County HOME Unprogrammed Funds = \$338,940

(c) Consortium City/Town Share HOME Funds = \$2,726,058 (See Attachment B)

(d) Consortium CHDO Share HOME Funds = \$642,568 (See Attachment C)

3. Total Urban County ESG Grant = \$96,516 (See Attachment A)

**TOTAL ALLOCATION = \$7,211,188**

Subrecipient contracts will be submitted in subsequent agenda items. (C-17-09-051-G-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Brock, Wilcox, Wilson  
Absent: Stapley

~ Supervisor Stapley entered the meeting ~

**Finance**

**4. FACILITIES USE AGREEMENT WITH THE MARICOPA COUNTY LIBRARY DISTRICT FOR THE USE OF PROPERTY FOR STORAGE AT THE PNI BUILDING**

Approve a Facilities Use Agreement (G-30121) between Maricopa County and the Maricopa County Library District (the "District") for the use of Maricopa County property for storage at the PNI Building located at 1920 South Lewis in Mesa. This agreement is effective upon execution by the parties until 36 months thereafter. This item requires a unanimous approval of the board of supervisors.

This Facilities Use Agreement (G-30121) will allow the District to use approximate 4,000 square feet of vacant space in the PNI Building to store library fixtures, furniture and equipment. The effective date of the Agreement is upon execution by the parties and will terminate 36-months thereafter, unless extended by the District, at Maricopa County's sole discretion, through three one-year renewal options. Either party may terminate the agreement for any reason with a 180-day written notice. The District will reimburse Maricopa County at least \$2,000 per year (in the not-to-exceed amount of \$6,000) for the cost of utilities associated with the District's use of the space. The District is responsible for all costs associated with the repair costs associated with the District's use of the lab space. A corresponding agenda item is found on the Library District agenda under C-65-09-015-3-00. (C-18-09-052-1-00)

Motion to approve on a unanimous roll call vote, by: Supervisor Brock, Seconded by: Supervisor Wilcox  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**Treasurer**

**5. MITCHELL AND LYDIA SWEET BANKRUPTCY CASE NO. 2-08-BK-12520-GBN; AND MSA SOLUTIONS I, INC. AND MSA SOLUTIONS, LLC**

Revoke authorization granted on April 1, 2009 for private sale of certain personal property of MSA Solutions I, Inc. and MSA Solutions, LLC, located at 1401 S. 52<sup>nd</sup> St. Ste. 150, Tempe, Arizona; further, approve removal of the tax lien on the personal property of MSA Solutions I, Inc. and MSA Solutions, LLC located at 1401 S. 52<sup>nd</sup> St. Ste. 150, Tempe, Arizona, pursuant to A.R.S. § 42-18351(4). This matter was discussed in Executive Session on May 4, 2009. (C-19-09-045-M-01)

Motion to approve by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

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Max W. Wilson, Chairman of the Board

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Fran McCarroll, Clerk of the Board

## **LIBRARY DISTRICT**

The Board of Directors of the Maricopa County Arizona Library District convened in Special Session at 2:30 PM on Thursday, May 14, 2009, in the Sullivan Conference Room with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Vice Chairman, District 2 (entered late); Fulton Brock, District 1; Andrew Kunasek, District 3; Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; and Bruce White, Deputy County Attorney.

### **L-1. FACILITIES USE AGREEMENT WITH MARICOPA COUNTY FOR THE USE OF PROPERTY FOR STORAGE AT THE PNI BUILDING**

Approve an Facilities Use Agreement between Maricopa County (G-30121) and the Maricopa County Library District, in the not-to-exceed amount of \$6,000.00. The purpose of this Agreement is to allow the Library District to lease property from Maricopa County for storage at the PNI building located at 1920 S. Lewis in Mesa. This Agreement is effective from upon execution by the parties until 36 months thereafter. THIS ITEM REQUIRES A UNANIMOUS APPROVAL OF THE BOARD OF DIRECTORS.

This Facility Use Agreement (G-30121) will allow the District to use approximately 4,000 sq. ft. of vacant space in the PNI Building to store library fixtures, furniture and equipment. The effective date of the Agreement is upon execution by the parties and will terminate 36 months thereafter, unless extended by the District, at Maricopa County's sole discretion, through three one-year renewal options. Either party may terminate the agreement for any reason with 180-day written notice. The District will reimburse Maricopa County at least \$2,000 per year (in the not-to-exceed amount of \$6,000) for the cost of utilities associated with the District's use of the space. The District is responsible for all costs associated with the repair costs associated with the District's use of the lab space. A corresponding agenda item is found in the Board of Supervisors' agenda under C-18-09-052-1-00. (C-65-09-015-3-00)

Motion to approve on a unanimous roll call vote, by: Supervisor Wilcox, Seconded by: Supervisor Brock  
Ayes: Kunasek, Stapley, Brock, Wilcox, Wilson

### **MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board